#### ORDINANCE NUMBER 07-08

# AN ORDINANCE OF THE TOWN OF WESTFIELD AMENDING THE WESTFIELD THOROUGHFARE PLAN

WHEREAS, the Town of Westfield, Indiana, hereinafter "Town", is a duly formed municipal corporation within the State of Indiana, governed by the Town Council, hereinafter "Council", has the duty, responsibility and authority to establish, monitor, and maintain ordinances for the general safety and welfare of the public as well as foster good economic growth for the citizens; and,

WHEREAS, it is the duty of the Council to improve the health, safety, convenience, and welfare of their citizens and to plan for the future orderly development and growth of their communities by maintaining a current plan for the roadways system under its jurisdiction; and

WHEREAS, from to time it is in the best interests of the citizens of the Town and the general public that changes and amendments must be made; and,

WHEREAS, after being fully advised in the matter,

## NOW THEREFORE BE IT ORDAINED BY THE WESTFIELD TOWN COUNCIL THAT:

SECTION I.	This Ordinance shall amend the Westfield-Washington Zonir		
	Ordinance by replacing WC 16.04.025 with Appendix "A"		
	attached hereto and incorporated by reference herein.		

The Westfield Thoroughfare Plan shall be established by annual resolution of the Council. Such Westfield Thoroughfare Plan shall be available for review in the office of the Town Clerk and in the offices of the Community Development Department.

This Ordinance shall be in full force and effect in accordance with Indiana law, upon the passage of any applicable waiting periods, all as provided by the laws of the State of Indiana. All ordinances or parts thereof that are in conflict herewith are herby ordered repealed.

# ADOPTED AND PASSED THIS DAY OF P. 2007, BY THE WESTFIELD TOWN COUNCIL, HAMILTON COUNTY, INDIANA.

# WESTFIELD TOWN COUNCIL Hamilton County, Indiana

### WESTFIELD TOWN COUNCIL

WESTFIELD TOWN COUNCIL			
Voting For	Voting Against	<u>Abstain</u>	
J. Andrew Cook	J. Andrew Cook	J. Andrew Cook	
Jack Hart	Jack Hart	Jack Hart	
John Dippel	John Dippel	John Dippel	
1906 Smith	Bob Smith	Bob Smith	
Ron Thomas	Ron Thomas	Ron Thomas	
Robert Horkay	Robert Horkay	Robert Horkay	
Joseph Plankis	Joseph Plankis	Joseph Plankis	
ATTEST: Culy Dessard			
Clerk-Treasurer, Cindy Gossard  This ordinance prepared by Brian Zaiger, Attorney at Law KRIEG DEVAULT. LLP 12800 North Meridian Carmel IN 46032	"I affirm, under the penalties of perjury, that I have taken reasonable care to redact each Social Security Number in this document, unless required by law"		

Signed

317-238-6266

# WESTFIELD-WASHINGTON TOWNSHIP ADVISORY PLAN COMMISSION CERTIFICATION

The Westfield-Washington Township Advisory Plan Commission met on Monday, March 26, 2007, to conduct a public hearing for 0703-ZOA-01 16.04.025 Thoroughfare Plan - proposed amendment to the Westfield-Washington Township Zoning Ordinance. Notice of public hearing was advertised and noticed and presented to the Advisory Plan Commission. Notice was shown to have been published in a newspaper of general circulation in Hamilton County, Indiana.

A Public Hearing was held at the Westfield Washington Advisory Plan Commission Meeting.

I, Thomas P. Higgins, AICP, being the Secretary of the Westfield-Washington Township Advisory Plan Commission, do hereby certify that the above is a true and accurate record of the minutes of the meeting of the Westfield-Washington Township Advisory Plan Commission held on March 26, 2007.

Thomas P. Higgins, Alca

March 26, 2007

Date

0703-ZOA-01

 $16.04.025\ \mathrm{Thoroughfare}\ \mathrm{Plan}\ \mathrm{-Proposed}$  amendment to the Westfield-Washington Township Zoning Ordinance.

Spoljaric stated for clarification that the language discussion for having the thoroughfare plan incorporated into the Comp Plan is scheduled for next month's Plan Commission meeting. This month, the discussion involves incorporating the thoroughfare plan into the Zoning Ordinance.

Salzman presented the staff report regarding this item and the proposed text amendment.

Spoljaric requested the name be changed and that it be given just one name: Westfield Transportation Plan.

Mr. Bruce Hauk asked the Commission to consider the name being the "Thoroughfare Plan" in order to avoid confusion in filing with the MPO as well as possible funding issues.

A Public Hearing opened at 7:35 p.m.

Mr. Mic Mead asked for clarification of the definition of "vacant" since his property is shown on the map as vacant.

Spoljaric asked for clarification on which report Mead was reviewing.

The Public Hearing closed at 7:39 p.m.

Plankis moved to send 0703-ZOA-01 to the Town Council with a positive recommendation.

Kingshill seconded, and the motion passed unanimously.

#### WESTFIELD TOWN COUNCIL

**Petition Number** 

0703-ZOA-01

**Zoning Ordinance Section** 

16.04.025

Title

Thoroughfare Plan

Request

Remove outdated language and maps from the Westfield-Washington Township Zoning Ordinance and replace with language that implements the most-recent Thoroughfare

Plan.

**Exhibits** 

1) WCD Proposed amended text

2) Existing WWT ZO text

#### **PETITION HISTORY**

This petition first appeared before the Advisory Plan Commission at the March 26, 2007 APC hearing. A public hearing was conducted in accordance with statute. The Advisory Plan Commission voted to send a favorable recommendation to the Town Council.

#### **PROCEDURAL**

Notice of this proposed text amendment was published in newspapers of general circulation in accordance with applicable State statutes.

Copies of the proposed text amendment have been made available to the public in advance of the published hearing date.

#### **SUMMARY**

The current Westfield-Washington Township Zoning Ordinance includes a section establishing a Thoroughfare Plan for Westfield. The existing language adopts the Hamilton County Thoroughfare Plan by reference, limits thoroughfare planning to within the Westfield corporate limits, and identifies four additions to the Hamilton County Thoroughfare Plan. The current zoning ordinance also includes four maps that reference the additions to the Hamilton County plan.

The proposed text amendment would remove the outdated and inaccurate sections of the current text and replace them with language adopting the updated Westfield Thoroughfare Plan by reference. If approved as presented, the Westfield Town Council would be able to adopt revisions by resolution on an as-needed basis, and renew the reference to the Westfield Thoroughfare Plan with annual resolutions.

### RECOMMENDATION

Approve the proposed zoning ordinance amendment as presented.

### WESTFIELD-WASHINGTON TOWNSHIP ZONING ORDINANCE

WC 16.04.025 Thoroughfare Plan

The following appendices are hereby declared to be a part of this Article:

## Appendix A. Westfield Thoroughfare Plan

The Westfield Thoroughfare Plan shall be as established by annual resolution of the Town Council of the Town of Westfield. Such Westfield Thoroughfare Plan shall be available for review in the office of the Town Clerk and in the office of the Community Development Department.

#### WC § 16.04.025 Thoroughfare Plan

- A. Hamilton County Thoroughfare Plan Adopted by Reference (see Figures WC 16.04.025 A, B, and C)
  - 1. The Hamilton County Thoroughfare Plan, a part of the Hamilton County Comprehensive Plan, Hamilton County Ordinance No. 12-05-89, is hereby adopted by reference as Westfield Ordinance No. 96-07 Ordinance of the Town of Westfield Concerning Amendment to Title 16 Land Use Controls.
  - 2. Two copies of said reference are on file in the office of the Westfield Town Clerk-Treasurer.

#### B. Westfield Thoroughfare Plan

- This plan is in addition to the Hamilton County Thoroughfare Plan, which the Town of Westfield has adopted by reference.
- This plan only applies to the area within the corporate limits of the Town of Westfield.
- Whenever there are conflicts or differences between the provisions of the Westfield Thoroughfare Plan and those of the Hamilton County Thoroughfare Plan, the provisions of the Westfield Thoroughfare Plan shall prevail.
- Thoroughfare plan subjects not addressed in the Westfield Thoroughfare Plan shall be governed by the respective provisions found in the Hamilton County Thoroughfare Plan.

The following items represent additions to the Hamilton County Thoroughfare Plan. These additions in conjunction with the provisions of the Hamilton County Thoroughfare Plan compose the Westfield Thoroughfare Plan:

- 1. Realignment of the curve in East Street, just north of State Road 32. (see Figure WC 16.04.025 D)
- 2. Change in roadway classification of East Street from Local Street or Road to Collector, from State Road 32 to 186th Street. (see Figure WC 16.04.025 D)
- 3. Change in roadway classification of Hoover Street from Local Street or Road to Collector, from Union Street to East Street. (see Figure WC 16.04.025 D)
- 4. Proposed new Collector and bridge over Cool Creek which connects Deer Walk Trace in Silver Lakes subdivision to Grassy Branch Road. (see Figure WC 16.04.025 E)

Figure WC 16.04.025 B

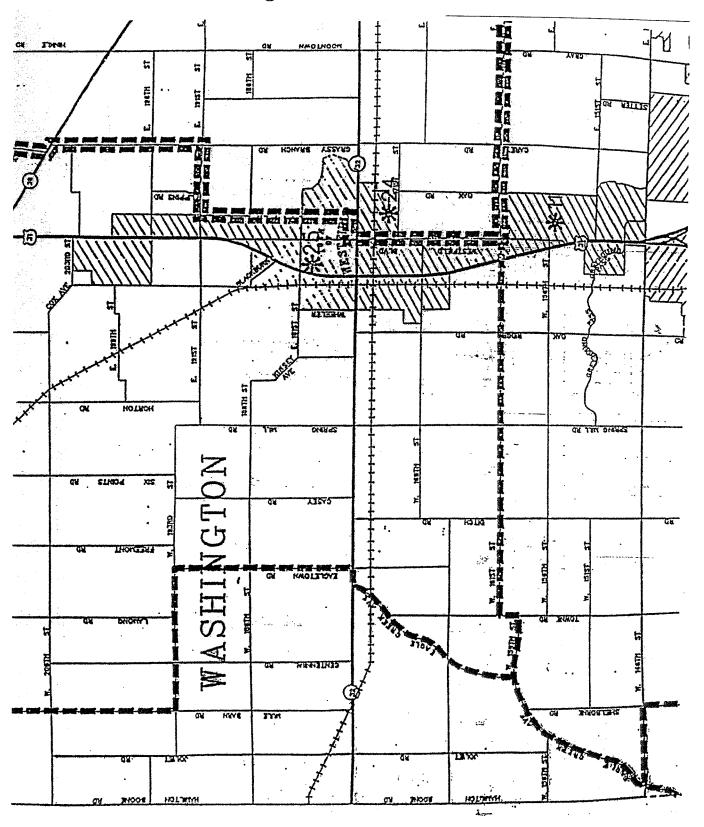


Figure WC 16.04.025 D

